

Kelly J. Brinkman, Esq.  
Nevada Bar No. 6238  
GOOLD PATTERSON ALES & DAY  
4496 South Pecos Road  
Las Vegas, Nevada 89121  
(702) 436-2600(Telephone)  
(702) 436-2650 (Fax)

E-Filed on 10/23/07

Attorneys for Creditors

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,  
Debtor.

In re:

USA CAPITAL REALTY ADVISORS, LLC,  
Debtor.

In re:

USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,  
Debtor.

In re:

USA CAPITAL FIRST TRUST DEED FUND, LLC,  
Debtor.

In re:

USA SECURITIES, LLC,  
Debtor.

Affects:

- ☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Securities, LLC  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA First Trust Deed Fund, LLC

Case No. BK-S-06-10725 LBR

Case No. BK-S-06-10726 LBR

Case No. BK-S-06-10727 LBR

Case No. BK-S-06-10728 LBR

Case No. BK-S-06-10729 LBR

Chapter 11

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**CERTIFICATE OF SERVICE  
REGARDING OPPOSITION TO  
AMENDED MOTION FOR  
ORDER REQUIRING GOOLD  
PATTERSON ALES & DAY,  
CHARTERED TO PRODUCE  
ONE OR MORE  
REPRESENTATIVES FOR  
EXAMINATION PURSUANT TO  
FEDERAL RULE OF  
BANKRUPTCY PROCEDURE  
2004**

1. On October 23, 2007, I served the following document: **OPPOSITION TO AMENDED MOTION FOR ORDER REQUIRING GOOLD PATTERSON ALES & DAY, CHARTERED TO PRODUCE ONE OR MORE REPRESENTATIVES FOR EXAMINATION PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 2004**

2. I served the above-named document(s) by the following means to the persons as listed below:

*(Check all that apply)*

☐ **a. ECF System**

Pursuant to Administrative Order 02-1 (Rev. 8-31-04) of the United States Bankruptcy Court for the District of Nevada, the above-referenced document was electronically filed on the date hereof and served through the Notice of Electronic Filing automatically generated by the Court.

☐ **b. United States mail, postage fully prepaid**

☐ **c. Personal Service** *(List persons and addresses. Attach additional paper if necessary)*

I personally delivered the document(s) to the persons at these addresses:

☐ For a party represented by an attorney, delivery was made by handing the document(s) to the attorney or by leaving the documents(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge by leaving the documents(s) in a conspicuous place in the office.

☐ For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

☐ **d. By direct email (as opposed to through the ECF System)**  
*(List persons and email addresses. Attach additional paper if necessary)*

Based upon the written agreement of the parties to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☒ **e. By fax transmission** *(List persons and fax numbers. Attach additional paper if necessary)*

Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

*Lewis and Roca, LLP  
3993 Howard Hughes Parkway  
Las Vegas, Nevada 89109  
Attention: Rob Charles  
Fax: 702-949-8398*

*Diamond McCarthy LLP  
909 Fanin, Suite 1500  
Houston, Texas 77010*

1                    *Attention: Eric Madden*  
2                    *Fax: (713) 333-5199*

3                    ☐ **f. By messenger** (*List persons and addresses. Attach additional paper if*  
4                    *necessary*)

5                    I served the document(s) by placing them in an envelope or package addressed to  
6                    the persons at the addresses listed below and providing them to a messenger for  
7                    service.

8                    (*A declaration by the messenger must be attached to this Certificate of Service*).

9                    **I declare under penalty of perjury that the foregoing is true and correct.**

10                  **Signed on: October 23, 2007**

11                  /s/ Lisa Risco-Hoen  
12                  Lisa Risco-Hoen

\*\*\*\*\*  
 \*\*\* MULTI TX/RX REPORT \*\*\*  
 \*\*\*\*\*

TX/RX NO 3739  
 PGS. 7  
 TX/RX INCOMPLETE  
 -----  
 TRANSACTION OK  
 (1) 17133335199  
 (2) 9498398  
 ERROR INFORMATION  
 -----

**Facsimile Transmission**  
**Goold Patterson**  
**Ales & Day**  
 ATTORNEYS AT LAW

BARRY S. GOOLD  
 JEFFREY D. PATTERSON  
 BARNEY C. ALES  
 BRYAN K. DAY  
 KELLY J. BRINKMAN

MICHELLE D. BRIGGS  
 KARISSA D. VERO

OF COUNSEL  
 THOMAS RONDEAU

4496 SOUTH PECOS ROAD  
 LAS VEGAS, NEVADA 89121

TELEPHONE: (702) 436-2600  
 TELECOPIER: (702) 436-2650  
 TOLL-FREE: (866) 642-2600

WEBSITE: [www.gooldpatterson.com](http://www.gooldpatterson.com)

Writer's Email Address:  
[kbrinkman@gooldpatterson.com](mailto:kbrinkman@gooldpatterson.com)

**From:** Kelly J. Brinkman

**Date:** October 23, 2007

*If there is a problem with this transmission, please call Lisa at (702)436-2600*

**Pages:** , including transmittal

**File No.:** 0000-091

**TO THE FOLLOWING:**

Name	Firm/Company	Fax No.
Eric Madden	Diamond McCarthy LLP	713-333-5199
Rob Charles	Lewis and Roca	702-949-8398

**COMMENT/MESSAGE:**

Please see attached **OPPOSITION TO AMENDED MOTION FOR ORDER REQUIRING GOOLD PATTERSON ALES & DAY, CHARTERED TO PRODUCE ONE OR MORE REPRESENTATIVES FOR EXAMINATION PURSUANT TO FEDERAL RULE OF**